IN THE UNITED STATES DISTRICT COURT  FOR THE EASTERN DISTRICT OF CALIFORNIA  CHINO VALLEY UNIFIED SCHOOL DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVII.A, an individual; MONICA BOTTS. an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; JETOR ROSCA, JR., an individual; JETOR ROSCA, JR., an individual; MONICA BOTTS. an individual; JETOR ROSCA, JR., an individual; MONICA BOTTS. an individual; JETOR ROSCA, JR., an individual; COLE MANN, an individual; WICTOR ROSCA, JR., an individual; JETOR ROSCA, JR., an individual; And LESLIE SAWYER, an individual; MONICA BOTTS. an individual; JETOR ROSCA, JR., an individual; And LESLIE SAWYER, an individual; And LESLIE SAWYER, an individual; MONICA BOTTS. AND THE MONICA ROSCA, JR., an individual; And TONY THURMOND, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		Case 2:24-cv-01941-DJC-JDP Document 2	20 Filed 09/17/24 Page 1 of 2
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IN THE UNITED STATES DISTRICT COURT  FOR THE EASTERN DISTRICT OF CALIFORNIA  CHINO VALLEY UNIFIED SCHOOL DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; MONICA BOTTS, an individual; VICTOR ROMERO, an individual; OF SCHEOULE FOR RULE 12(B) MOTION  COLE MANN, an individual; UCTOR ROMERO, an individual; and LESLIE SAWYER, an individual; and LESLIE SAWYER, an individual; ANDERSON COLE ORDER CONTINUING BRIEFING SCHEDULE FOR RULE 12(B) MOTION  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	5		
IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA  CHINO VALLEY UNIFIED SCHOOL DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; and LESLIE SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	6		
FOR THE EASTERN DISTRICT OF CALIFORNIA  CHINO VALLEY UNIFIED SCHOOL DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual; Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	7		
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DISTRICT, a local educational agency; ANDERSON UNION HIGH SCHOOL DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual; and LESLIE SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	10		
DISTRICT, a local educational agency; ORANGE COUNTY BOARD OF EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		DISTRICT, a local educational agency;	
EDUCATION, a local educational agency; OSCAR AVILA, an individual; MONICA BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual; and LESLIE SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		DISTRICT, a local educational agency;	
BOTTS, an individual; JASON CRAIG, an individual; KRISTI HAYS, an individual; COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual; and LESLIE SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		EDUCATION, a local educational agency;	
COLE MANN, an individual; VICTOR ROMERO, an individual; GHEORGHE ROSCA, JR., an individual; and LESLIE SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		BOTTS, an individual; JASON CRAIG, an	
SAWYER, an individual,  Plaintiffs,  V.  GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	16	ROMERO, an individual; GHEORGHE	
GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	17		
GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	18	Plaintiffs,	
GAVIN NEWSOM, in his official capacity as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	19	v.	
21 as Governor of the State of California; ROBERT BONTA, in his official capacity as Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.	20	GAVIN NEWSOM, in his official capacity	
Attorney General of the State of California; and TONY THURMOND, in his official capacity as California State Superintendent of Public Instruction,  Defendants.		as Governor of the State of California;	
of Public Instruction,  Defendants.		and TONY THURMOND, in his official	
Defendants.			
		Defendants.	
40			
On September 13, 2024, the Parties filed a Stipulation to continue the briefing schedule		On September 13, 2024, the Parties filed	a Stipulation to continue the briefing schedule
for Defendants' Motion to Dismiss. Pursuant to the Stipulation, the deadline for Defendants to			

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1	file a Motion to Dismiss pursuant to Rule 12(b) in response to the Amended Complaint would be		
2	extended to October 7, 2024; the deadline for Plaintiffs' opposition would be extended to		
3	November 8, 2024; and the deadline for Defendants' reply to Plaintiffs' opposition would be		
4	extended to November 25, 2024. The Parties further stipulated that the Motion would still be		
5	heard on December 19, 2024.		
6	This Stipulation was agreed upon because Defendants' counsel who is primarily		
7	responsible for drafting the Motion to Dismiss was unexpectedly selected to be a juror on a trial		
8	taking place during the two weeks prior to the current September 23, 2024 deadline to file the		
9	Motion to Dismiss. Defendants' counsel requested that the briefing schedule be extended to allow		
10	Defendants sufficient time to prepare their Motion in this matter that involves important and		
11	novel issues of constitutional law, and may impact the rights of Californians statewide. The		
12	Stipulation does not constitute a waiver of any claim, right, or defense.		
13	The court, having considered the Parties' Stipulation and finding good cause therefor,		
14	hereby GRANTS the Stipulation and ORDERS as follows:		
15	1. Defendants' deadline to file a Motion to Dismiss pursuant to Rule 12(b) in		
16	response to the Amended Complaint is extended to October 7, 2024;		
17	2. Plaintiffs' opposition to Defendants' Motion to Dismiss is due on November 8,		
18	2024;		
19	3. Defendants' reply to Plaintiffs' opposition is due November 25, 2024; and		
20	4. The Motion to Dismiss will be heard on December 19, 2024, as previously		
21	ordered.		
22	IT IS SO ORDERED.		
23			
24	Dated: September 16, 2024 /s/ Daniel J. Calabretta		
25	THE HONORABLE DANIEL J. CALABRETTA UNITED STATES DISTRICT JUDGE		
26			
27			
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